

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

AFFIDAVIT

S1 11 CR 59 (LAK)

XAVIER CORREA, et al.,

Defendants.

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DAVID MARTE, being duly sworn, hereby deposes and states under penalty of perjury:

1. I am a defendant in the above-captioned matter.
2. In February, 2011, I resided in the basement apartment of 523 Tinton Avenue, Bronx, N.Y.
3. My apartment consists of a one-bedroom living area, a kitchen, a bathroom, and an open closet area.
4. On February 2, 2011, I was at home sleeping at or about 6:00 AM when law enforcement entered my home and arrested me.
5. The police proceeded to search my apartment and seized a cell phone, crack cocaine, and U.S. currency, among other objects.
6. I believe that the items of physical evidence seized by the police were in the living area of my apartment and were not in open view.
7. I did not give the police permission to search my apartment.
8. To my knowledge the police did not have a search warrant authorizing them to search my apartment.



Sworn to on the
30th day of March, 2011

JOEL M. STEIN
Notary Public, State of New York
No. 24-4872474
Qualified in Kings County
Commission Expires Aug. 31, 2014


DAVID MARTE